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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 ADOLFO MARTINEZ,

11 Petitioner,

No. C00-1822Z

12 v.

ORDER

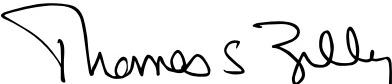
13 UNITED STATES OF AMERICA,

14 Respondent.

15 The Court DENIES the petitioner's motion to reopen judgment, docket no. 12. The
16 petitioner does not present any evidence or compelling arguments that the original judgment
17 in his 28 U.S.C. § 2255 petition should be reopened under Fed. R. Civ. P. 60(b). Contrary to
18 petitioner's arguments, the Supreme Court's decision in Booker v. United States, 125 S.Ct.
19 738 (2005), did not render unconstitutional each and every sentence imposed under the
20 formerly mandatory Federal Sentencing Guidelines.

21 IT IS SO ORDERED.

22 DATED this 16th day of May, 2005.

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24 
25 Thomas S. Zilly
26 United States District Judge

ORDER 1-